

REMARKS

In accordance with the foregoing, the specification and claim 2, 3, 6, 7, and 8 have been amended. Claims 2, 3 and 5-8 are pending and under reconsideration, which is requested.

1. Claims 6 and 8 are rejected under 35 USC 101 as drawn to a non-statutory subject matter.

Claims 6 and 8 are amended. As suggested by the Examiner, claims 6 and 8 are amended in such a way that one or more steps include a device. As a result of the amendment, it is believed that claims 6 and 8 as amended comply with the requirements under 35 USC 101.

2. Claims 2 – 3 and 5 – 8 are rejected under 35 USC 103(a) as being unpatentable over Ikeda in view of Walker.

Claim 2 recites "a determining portion that ***determines a point use ticket is usable by verifying a reference request from a point-usable facility transmitting a number of reserved points of the point use ticket to be referred and a recognition code of the point use ticket to be referred.***" As recited clearly in this passage and the following two paragraphs starting with "the verifying ..." in claim 2, the determining portion in claim 2 ***verifies the request (points and recognition code thereof)*** sent from a point-usable facility where the point use ticket is used and determines whether the point use ticket is usable. The Office Action alleges that this feature is disclosed in Figs. 8, 9, 14, and 16 of Ikeda. The Applicant respectfully disagrees. For example, Fig. 8 of Ikeda shows "an example of the points management table. The table stores the number of points for each customer for each shop." Fig. 9 of Ikeda shows "an example of a shop management table referred to when information about a special service period is set for each shop." Fig. 14 of Ikeda is "a flowchart showing the points issuing process activated by a customer's clicking the order button on the screen shown in Fig. 13." Fig. 16 of Ikeda is "an example of redeeming points storage table for adjustment used in a redeeming points adjusting process periodically performed by all shops." As can be seen from the figures themselves and the descriptions relating thereto, none of these drawings of Ikeda discloses the above-mentioned feature recited in claim 2.

So the Office Action relies upon Walker's discussion of "The issuer central controller generates at least one code for generating the bearer notes and transmits the code to the user. Bearer notes including the code are then generated" (Abstract). However, Walker discusses a check clearing process 800 and verification 900 (FIG. 9) in the issuer central controller 200,

which relies upon the check's serial number, but is silent on the claimed "***determines a point use ticket is usable by verifying a reference request from a point-usable facility transmitting a number of reserved points of the point use ticket to be referred and a recognition code of the point use ticket to be referred,***" and the verifying comprises:

the verifying being conducted by comparing the number of reserved points and the recognition code of the point use ticket to be referred with the requested arbitrary number of reserved points and the recognition code recorded in the use management database, respectively, and

the verifying including verifying a use status of the number of reserved points for the recognition code of the point use ticket to be referred

In other words, Walker does not perform "***comparing***" based upon both "***the number of reserved points and the recognition code of the point use ticket.***" Further, Walker does not perform any "***verifying a use status of the number of reserved points for the recognition code of the point use ticket.***" Further, Ikeda's point redemption discussed in column 11, line 10+ and FIG. 15, only discuss sufficiency of points and adjustment of points from another shop. So a combination of Ikeda and Walker fail to disclose expressly or implicitly this claim 2 feature.

Further, a prima facie case of obviousness based upon Ikeda and Walker cannot be established, because there is no evidence expressly or implicitly to one skilled in the art to further modify Walker's check clearing process, which only uses a check serial number and check amount for verification, to provide the claimed "***comparing***" based upon both "***the number of reserved points and the recognition code of the point use ticket,***" and "***verifying a use status of the number of reserved points for the recognition code of the point use ticket.***" In other words, Walker's serial no. differs from the claimed "recognition code," which is "issue[d] [s a recognition code] for the requested arbitrary number of reserved points," since in Walker the serial no. is provided for a blank check rather than any particular amount of the check. The claimed "recognition code ... issue[d] [s a recognition code] for the requested arbitrary number of reserved points" provides a benefit of "usable also by a person other than the customer, to the terminal device in a way that allows the customer to select between a form in which the point use ticket comprising the recognition code is printed at a side of the customer and a form in which the point use ticket comprising the recognition code is used as data in the plurality of point-usable facilities," and a benefit of "use status" management, and a benefit of "the form in which the point use ticket is printed at the side of the customer being configured

such that printing is selectable between one and a plurality of the point use tickets comprising an identical recognition code" (amended claim 2 discussed below). And Ikeda and/or Walker are silent on "***verifying a use status of the number of reserved points for the recognition code.***"

Independent claim 2 is further amended to require the following features to place the application in condition for allowance:

i) a transmitting portion that transmits data of a point use ticket comprising the requested arbitrary number of reserved points and the recognition code and usable also by a person other than the customer, to the terminal device in a way that allows the customer to select between a form in which the point use ticket comprising the recognition code is printed at a side of the customer and a form in which the point use ticket comprising the recognition code is used as data in the plurality of point-usable facilities.

ii) the recording portion rewriting, when the point use ticket to be referred is determined usable as a result of the verifying, the use status recorded in the use management database and corresponding to the recognition code of the point use ticket to be referred such that the use status thus rewritten indicates that the point use ticket to be referred is used.

iii) the form in which the point use ticket is printed at the side of the customer being configured such that printing is selectable between one and a plurality of the point use tickets comprising an identical recognition code.

For example, the present application page 15, line 1 to page 16, line 9 support the embodiments. The added feature i) defines a) the point use ticket is such that can be used also by a person other than the customer; and b) the customer can choose between printing the point use ticket and using the data thereof in the plurality of point-usable facilities. None of these features are disclosed in Ikeda and Walker.

The added feature ii) defines that c) once the point use ticket to be referred is determined usable, the use status corresponding to the recognition code to be referred is rewritten so as to indicate "used" in the database. It is believed that this feature is not disclosed in Ikeda and Walker, either.

The added feature iii) defines that d) when the point use ticket is printed as defined in feature i), the customer is allowed to select between a single print and multiple prints. Again, it is

believed that this feature is not disclosed in Ikeda and Walker, either.

It is submitted that a prima facie case of obviousness of amended claims cannot be established based upon Ikeda and Walker. Other independent claims require limitations similar to amended claim 2. Allowance of the independent claims is requested.

DEPENDENT CLAIM 3

Dependent claim 3 is amended to correct a typographic error but substantially remains intact, and is allowable.

With respect to claim 3, the Office Action alleges that Ikeda further teaches means for subtracting the number of reserved points from the accumulated reserve points for the customer to record the added number of points as a new accumulated number of points in the point database. However, the Office Action does not provide any rejection rational for another part of the feature recited in claim 3, namely the language of claim 3 also provides "a reference portion referring to the use management database in accordance with ***a cancel request with the recognition code*** from the customer to invalidate the issued recognition code, ***when the use status of the arbitrary number of reserved points indicates unused.***" In addition, considering that the Office Action alleges the claimed "recognition code" in claim 2 can correspond to "completion code" in Walker, the above-mentioned feature can read as "a reference portion referring to the use management database in accordance with a cancel request with the 'completion code' from the customer to invalidate the issued recognition code, when the use status of the arbitrary number of reserved points indicates unused." Therefore, it is clear that Walker does not disclose that the cancel request is accompanied by "completion code." Walker column 10, line 27+ discusses a check cancellation process based upon the check serial no., however, as discussed above, Walker's check serial no. associated with a check rather than a requested number of reserved points cannot expressly or implicitly equate to the claimed "***issues a recognition code for the requested arbitrary number of reserved points,***" providing a benefit of "usable also by a person other than the customer, to the terminal device in a way that allows the customer to select between a form in which the point use ticket comprising the recognition code is printed at a side of the customer and a form in which the point use ticket comprising the recognition code is used as data in the plurality of point-usable facilities," and a benefit of "use status" management, and a benefit of "the form in which the point use ticket is printed at the side of the customer being configured such that printing is selectable between one and a plurality of the point use tickets comprising an identical recognition code."

Thus, dependent claim 3 is allowable.

Other dependent claims recite patentably distinguishing features of their own or are at least patentably distinguishing due to their dependencies from the independent claims.

3. Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
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